In the High Court of Punjab and Haryana at Chandigarh.

Civil Revision No.6054 of 2006.

Date of decision:16.11.2006.

Santokh Singh.

...Petitioner.

Versus

Harbhajan Kaur.

...Respondent.

...

Coram: Hon'ble Mr. Justice S. N. Aggarwal.

...

Present: Mr.R.C.Dimri Advocate for the petitioner.

...

Judgment.

S. N. Aggarwal, J.

The petitioner is the husband. He filed a petition for divorce against the respondent/wife.

The respondent/wife appeared and filed an application for grant of maintenance/litigation expenses.

The learned trial Court vide impugned order dated 23.9.2006 awarded maintenance at the rate of Rs.1,500/- per month and also awarded litigation expenses to the tune of Rs.4000/-.

Hence, the present petition.

It was submitted by the learned counsel for the petitioner

that the petitioner is a labourer earning not more than Rs.3,000/- per month. He is to maintain his own parents and,therefore, maintenance awarded by the learned trial Court is highly excessive.

This submission has been considered.

The version of the respondent was that the petitioner was an Electrician in Ludhiana. He was also running electricity shop and his income was Rs.20,000/- per month. In the written reply filed by the petitioner, he had not denied specifically if he was not running any shop. He had only taken the plea that his income was not more than Rs.3,000/- per month. It was also not mentioned as to from where he was getting Rs.3,000/- per month. He had not specifically denied if he was not an Electrician or he was not running electricity shop.

In view of these circumstances, the interim maintenance/litigation expenses awarded by the learned trial Court are not excessive.

There is no ground to interfere with the order passed by the learned trial Court.

No merit.

Dismissed.

November 16,2006. (S. N. Aggarwal)
Jaggi Judge